

REMARKS / ARGUMENTS

The Applicant thanks the Examiner for his time in granting the telephone interview held on August 17, 2011. Applicant wishes to clarify the Examiner's statement in the Examiner's Interview summary that "the immediate invention is limited to a single piece connector with no extraneous components." For clarification, it should be noted that Applicant explained that the "connecting part" limitation of the independent claims is limited to a single piece with no extraneous components, but that the independent claims to a "connector for packings" comprises both a "connecting part" and a "closure part," which can be a separate component that can be fitted onto the "connecting part." This clarification does not, however, change the substance of the Applicant's Amendments or Arguments regarding those Amendments.

CLAIMS

By the present response, two (2) claims have been amended, zero (0) claims have been added, and zero (0) claims have been cancelled. Claims 1-20 are currently still pending. The amendments to claims 1 and 11 are supported by the original as-filed specification and drawings, specifically Figs. 1, 2, and 7. No new matter has been added by way of the amendments contained herein.

REJECTIONS UNDER U.S.C. §103(a)

The Examiner rejected claims 1, 2, 10-12, and 20 under 35 U.S.C. §103(a) as being unpatentable over Strobel (U.S. Pat. No. 6,723,076) in view of Imer (U.S. Pat. No. 5,228,782). The Examiner also rejected claims 3, 5, 13, and 15 under 35 U.S.C. §103(a) as being unpatentable over Strobel in view of Imer, and further in view of Fowles (U.S. Pat. No. 4,632,267). The Examiner further rejected claims 4 and 14 under 35 U.S.C. §103(a) as being

unpatentable over Strobel, in view of Imer, in view of Fowles, and further in view of Burns (U.S. Pat. No. 5,494,170). The Examiner also rejected claims 6-8 and 16-18 under 35 U.S.C. §103(a) as being unpatentable over Strobel, in view of Imer, in view of Fowles, and further in view of LeMarr et al. (U.S. Pat. No. D456,507). Lastly, the Examiner rejected claims 9 and 19 under 35 U.S.C. §103(a) as being unpatentable over Strobel, in view of Imer, in view of Fowles, and further in view of Knierbein (U.S. Pat. No. 6,364,143). Applicant respectfully request that the rejections be withdrawn in light of the claim amendments and arguments presented herein.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some apparent reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the references when combined must teach or suggest all the claim limitations. *See Memorandum from Margaret A. Focarino to USPTO Technology Center Directors dated May 3, 2007; M.P.E.P. § 2143.* The burden of establishing a *prima facie* case of obviousness lies with the PTO. In determining obviousness, one must focus on the invention as a whole. *Symbol Technologies Inc. v. Opticon, Inc.*, 935 F.2d 1569, 1577-78, 19 U.S.P.Q. 2d 1241 (Fed. Cir. 1991).

As stated by the United States Supreme Court in *KSR Int'l Co. v. Teleflex Inc.*, 550 US 398; 82 U.S.P.Q.2d 1385 (2007), in order for references to be combined to form the basis of an obviousness rejection, it is “important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way that claimed new invention does.” *Id.* at 418. Moreover, under *KSR*, a claim is “not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art.” *Id.* To establish a *prima facie* case of obviousness when combining multiple references, there must be

an “explicit” analysis of both the claimed invention and the prior art to determine “whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue.” *Id.* Indeed, the M.P.E.P. specifically states that “[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination.” M.P.E.P. § 2143.01 (emphasis in original).

Claims 1, 2, 10, 11, 12, and 20

The Examiner rejected claims 1, 2, 10, 11, 12, and 20 under 35 U.S.C. §103(a) as being unpatentable over Strobel (U.S. Pat. No. 6,723,076) in view of Imer (U.S. Pat. No. 5,228,782). Independent claims 1 and 11 have been amended so as to (1) rearrange the order of the previous claim limitations in order to make the claim easier to read, and (2) add the limitation that “the pinching-off part comprises the same polymer as the base part.” Neither the Strobel nor Imer references cited by the Examiner disclose a connector for packings comprising a connecting part and a closure part, wherein the connecting part includes an elastically deformable pinching off part as claimed and a base part merging into the pinching-off part, **wherein the pinching off part comprises the same polymer as the base part**, as in amended claims 1 and 11. Because neither Strobel nor Imer disclose the aforementioned limitation in amended independent claims 1 and 11, the combination of Strobel and Imer fails to disclose each and every limitation of amended independent claims 1 and 11, as well as claims 2, 12, 10, and 20 which depend therefrom. As such, the combination of Strobel and Imer does not render pending claims 1 and 11 obvious under 35 U.S.C. §103. Accordingly, this rejection should be withdrawn.

Claims 3-9 and 13-19

As argued above, the combination of Strobel and Imer fail to teach each of the specific claim limitations of independent claims 1 and 11. In addition, the remaining pieces of prior art cited by the Examiner in his 103(a) rejections also fail to teach the specific combination of

limitations in amended claims 1 and 11 as argued above. Accordingly, any combination of Strobel, Imer, Fowles, Burns, LeMarr et al., and Knierbein fails to teach each and every claim limitation of amended independent claims 1 and 11, and dependent claims 2-10 and 12-20, which depend there from. Accordingly, Applicant respectfully requests the withdrawal of the rejections under 35 U.S.C. § 103(a).

CONCLUSION

Applicant believes that for the reasons set forth herein, claims 1-20 are now pending and are in condition for allowance. Further, none of Applicant's amendments are to be construed as limiting the scope of equivalents, a waiver or dedicating any subject matter to the public, and Applicant reserves all rights to pursue any subject matter in this or a related patent application.

Should the Examiner have any questions or to otherwise expedite prosecution, he is encouraged to call the undersigned at (312) 701-7818.

Respectfully submitted,
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